

REMARKS

In this paper, claims 31-33 are currently amended, and claims 35 and 36 have been added. After entry of the above amendment, claims 31-33 and 35-36 are pending, and claims 1-30 and 34 have been canceled.

The specification has been amended to provide antecedent basis for terms used in the claims to overcome the objection noted in the office action.

Claims 31 and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Romero (US 5,010,785). This basis for rejection is respectfully traversed.

Claim 31 has been amended to clarify that the fourth fastener opening is structured for lockingly engaging a first fastener, wherein the first fastener opening is structured to allow relative movement between the first mounting ear and the first fastener when the first fastener lockingly engages the fourth fastener opening, and that the third fastener opening is structured for lockingly engaging a second fastener, wherein the second fastener opening is structured to allow relative movement between the second mounting ear and the second fastener when the second fastener lockingly engages the third fastener opening. This structure highlights the complementary nature of the fastening scheme. That is, each mounting ear has structure for positively locking with a fastener as well as a structure that does not positively lock with a fastener. It is to be understood, however, that claim 31 is directed to a crank arm *per se* and not to a combination of crank arm and fasteners.

Romero discloses a crank arm (10) with a plug (22) having a splined opening (24) for engaging a crank axle. Plug (22) includes a pair of flanges (28) and (30), each of which includes a hole (32) for accommodating a threaded fastener (34). The nature of the inner peripheral surfaces of holes (32) is not disclosed. Even if one of ordinary skill in the art were to duplicate the number of fasteners, there is no suggestion to arrange the structure of the holes in the complementary manner claimed.

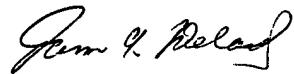
Accordingly, it is believed that the rejection under 35 U.S.C. §103 has been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance.

KAZUHIRO FUJII
Application No.: 09/476,455
Page 6

PATENT

Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

Respectfully submitted,



James A. Deland
Reg. No. 31,242

DELAND LAW OFFICE
P.O. Box 69
Klamath River, California 96050
(530) 465-2430